

Amendment No. 1 to HB2130

**Lamberth
Signature of Sponsor**

AMEND Senate Bill No. 2030*

House Bill No. 2130

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Tennessee Stolen Valor Act."

SECTION 2. Tennessee Code Annotated, Section 39-16-301, is amended by deleting subsection (c) and substituting instead the following:

(c) A person commits criminal impersonation who, with the intent to obtain money, property, services, or any other tangible benefit, pretends to be an active duty member or veteran of uniformed service by:

(1) Wearing the uniform, rank, medals, devices, or insignia of a uniformed service of which the person is not a member or veteran or to which the person has not earned or been awarded;

(2) Fraudulently representing to another, or misleading another to believe, that the person is the recipient of a military rank, medal, device, insignia, award, decoration, ribbon, tab, or other service recognition that the person has not received or earned; or

(3) Presenting false identification, documentation, or certification to include, without limitation:

(A) United States department of defense identification cards;

(B) Military forms showing release or discharge from active duty, including department of defense form 214 (DD 214) or equivalent forms;

(C) United States department of veteran affairs identification cards; or

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(D) Certifications or qualifications indicating uniformed service training or education;

(d)

(1) Criminal impersonation under subsection (a) is a Class B misdemeanor. However, if the criminal impersonation was committed to falsely obtain a driver license or photo identification license, the maximum fine of five hundred dollars (\$500) shall be imposed. If any person commits the offense of criminal impersonation under subsection (a) while pretending to be a firefighter, medical fire responder, paramedic, emergency medical technician, or any other first responder and while operating a motor vehicle pursuant to § 55-9-201(d), § 55-9-402(g), or § 55-9-414(f), then the offense is a Class A misdemeanor.

(2) Criminal impersonation under subsection (b) or (c) is a Class A misdemeanor. However, if any person commits criminal impersonation of a law enforcement officer under subsection (b) while operating a motor vehicle pursuant to § 55-9-201(d), § 55-9-402(g), or § 55-9-414(f), then the maximum fine for the offense shall be five thousand dollars (\$5,000).

(3) All proceeds from the fines imposed for a conviction of subsection (c) shall be paid into the state general fund and credited to a separate account. Funds in this account shall be used solely for the support and maintenance of state veterans' homes, subject to the approval of the commissioner of finance and administration and the state veterans' homes board with the approval of the governor.

(e) For purposes of this section, "uniformed service" means:

(1) Active and reserve components of the army, navy, air force, marine corps, or coast guard of the United States;

(2) The commissioned corps of the United States public health service;

(3) The commissioned corps of the national oceanic and atmospheric administration of the United States; or

(4) The national guard of a state.

SECTION 3. Tennessee Code Annotated, Section 58-1-602, is amended by deleting the section in its entirety.

SECTION 4. This act shall take effect July 1, 2018, the public welfare requiring it.